

CASE NO. 3:12CV509
(3:01CR36-7)

)	
IAN ANDRE PERSAUD,)	
)	
Petitioner,)	
)	
v.)	RESPONSE TO GOVERNMENT’S
)	MOTION TO HOLD CASE IN
UNITED STATES OF AMERICA.)	ABEYANCE
)	
Respondent.)	
)	

On December 4, 2014, the government filed a Motion to Stay the proceedings in this matter until the Fourth Circuit Court of Appeals renders a decision in the pending case of *United States v. Surratt*, Fourth Circuit Case No. 14-6851.

The Court granted the Motion on December 5, 2014, before the defendant was able to review the government Motion and file a response.

For the record, Mr. Persaud responds to the government's motion as follows:

1. Although the issues on appeal in the *Surratt* case are similar to the issues pending in Persaud's case, they are not identical. The decision in the *Surratt* case will not automatically resolve Persaud's case.

2. Persaud moves the Court to issue a briefing Order after the appellate decision in the *Surratt* case becomes final, so that Persaud may submit his arguments to the District Court.

Respectfully submitted this 5th day of December, 2014.

/s/ Christopher C. Fialko
Christopher C. Fialko
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I Certify, that a copy of the foregoing Petitioner's Response to Government's Motion to Hold Case in Abeyance will be served upon the following counsel of record through electronic case filing.

Amy E. Ray
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This 5th day of December, 2014.

/s/ Christopher C. Fialko
Christopher C. Fialko